

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS E. KEPKE,

Defendant.

Criminal No. 3:21-CR-00155-JD

[PROPOSED]
PROTECTIVE ORDER

Having found that on August 15, 2018, Defendant voluntarily, and without any coercion or threat, consented in writing to the removal of specific files from his home at 149 Sage Road, Houston Texas by Special Agents with the Internal Revenue Service, to wit: 1) 4 files related to 2017 Taxes for Mr. Kepke; 2) 1 file for Globix Investments, LLC; and 3) 1 file for Robert Esper, this Court finds the following:

1. That in providing his consent to the removal of these documents Defendant waived any rights he may have had under the Fourth Amendment to the United States Constitution and Federal Rules of Criminal Procedure 41 to the removal of these documents by the government from the premises at 149 Sage Road, Houston, Texas;

2. That in providing his consent to the removal of these documents, Defendant voluntarily waived any attorney work-product privilege he may have had in these documents.

IT IS ORDERED that the documents and files that are the subject of Defendant's August 15, 2018 written consent, and listed therein, shall be provided to the government's Filter Team to review these documents for any remaining, or continuing, privilege. Upon completion of this review, and redaction and/or removal of any privileged communications, if necessary, the remaining documents shall be provided to the government's prosecution team for review and use as substantive evidence in this matter.

1 Within three weeks of documents being provided to the government's prosecution team, the
2 government shall provide copies of these documents to Defendant's counsel.

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6 IT IS SO ORDERED.

7 Dated: _____

8 JAMES DONATO
9 United States District Judge
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